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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/050,600

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Yoshitaka Fujita

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10/05/2005

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER

SHAND, ROBERTA A

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 

10/050,600

Applicant(s)

FUJITA, YOSHITAKA

Examiner

Roberta A. Shand

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 11-16 and 23-27 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date 08/11/04.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewin (U.S. 6829252 B1).

3. Regarding claims 1 and 6, Lewin teaches (fig. 1) a multiplexing method of multiplexing (DSLAM) signals from a transmitting section to a receiving section, comprising: adding to each of the signals an identification address identifying section through which the signal passes in a multiplexing system and outputting the signals (fig. 2); extracting the address and multiplexing the signals on the basis of the address (col. 4, line 46 – col. 5, line 15).

4. Regarding claims 2, 4, 7, 9, 18 and 19, Lewin teaches (col. 14, lines 1-15) the packets are Ethernet packets (fig. 6) and the address is a MAC address.

5. Regarding claims 3 and 8, Lewin teaches (fig. 1) a demultiplexing method of demultiplexing (DSLAM) signals and transmitting to the receiving section, comprising: adding to each of the signals an identification address identifying section through which the signal passes in a multiplexing system and outputting the signals (fig. 2); extracting the address and

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demultiplexing the multiplexed signals on the basis of the address (col. 4, line 46 – col. 5, line 15).

6. Regarding claims 5 and 10, Lewin teaches (fig. 1) a demultiplexing method of demultiplexing a multiplexed signal (DSLAM), comprising: extracting the IP address (col. 16, lines 6-20) from each packet in the received multiplexed signal (col. 4, line 46 – col. 5, line 15); demultiplexing the multiplexed signal (DSLAM) into PPP packets (frames) on the basis of the extracted address (col. 7, line 60 -col. 9, line 13).

7. Regarding claim 17, Lewin teaches (fig. 1) a multiplexing/demultiplexing apparatus (DSLAM) that multiplexes signals from a transmitting section to a receiving section and demultiplexing (DSLAM) signals and transmitting to the receiving section, comprising: extracting means for extracting the address added to each of the signals an identification address identifying section through which the signal passes in a multiplexing system and outputting the signals (fig. 2); and multiplexing the signals on the basis of the address (col. 4, line 46 – col. 5, line 15); second extracting means for extracting the address added to the multiplexed signals identifying the section through which the signal passes in a demultiplexing system (col. 4, line 46 – col. 5, line 15); and demultiplexing means (DSLAM) demultiplexing the signals based on the MAC address.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewin in view of Ferguson (U.S. 2002/0059424 A1).

10. Regarding claim 20, Lewin teaches (fig. 1) a multiplexing/demultiplexing apparatus (DSLAM) that multiplexes signals from a transmitting section to a receiving section and demultiplexing (DSLAM) signals and transmitting to the receiving section, comprising: extracting means for extracting the address added to each of the signals an identification address identifying section through which the signal passes in a multiplexing system and outputting the signals (fig. 2); and multiplexing the signals on the basis of the address (col. 4, line 46 – col. 5, line 15); second extracting means for extracting the address added to the multiplexed signals identifying the section through which the signal passes in a demultiplexing system (col. 4, line 46 – col. 5, line 15); and demultiplexing means (DSLAM) demultiplexing the signals based on the address.

11. Lewin does not teach POS signals.

12. Ferguson teaches (paragraph 54) POS. It would have been obvious to one of ordinary skill in the art to adapt this to Lewin's system to use optical signals.

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13. Regarding claims 21 and 22, Lewin teaches (col. 9, lines 9-13) the packets are Ethernet IEEE 802.3 packets.

Allowable Subject Matter

14. Claims 11-16 and 23-27 allowed.


Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Shand
Examiner
Art Unit 2665



STEVEN NGUYEN
PRIMARY EXAMINER